

REMARKS/ARGUMENTS

Claims 1-5 and 10-23 are pending in the present application. Claims 1-5 and 10-16 have been allowed. Claims 17, 21, and 22 have been rejected. Claims 1 and 17 have been amended. The amendment is fully supported by the original disclosure. No new matter has been introduced. Reconsideration and allowance of claims 1-5 and 10-23 in view of the following remarks is respectfully requested.

Amendment to claims 1 and 17 to correct a typographical omission:

Claims 1 and 17 have been amended to insert an omitted semicolon.

The rejection of claims 17, 21, and 22 under 35 U.S.C. § 102:

The Examiner has rejected claims 17, 21, and 22 under 35 U.S.C. § 102(b) as being anticipated by Silvey (U.S. Pat. No. 248,805).

In a telephone conference with the Examiner on May 24, 2005, Applicant proposed amending claim 17 as attached to amend "horizontal portion" to read "horizontal flat planar portion". Applicant argued that unlike the present invention, Silvey does not have a "flexible arcuate stabilizing member" having ends with a "horizontal flat planar portion formed to engage the top surface of the wire rack". The Examiner was persuaded by this argument, and agreed to enter the attached claim language to place claim 17 in condition for allowance.


CONCLUSION

In view of the above amendments and remarks, Applicant respectfully requests allowance of claims 1-5 and 10-23.

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TJZ', with a long horizontal line extending to the left.

Timothy J. Zarley
Reg. No. 45,253
ZARLEY LAW FIRM, P.L.C
Capital Square
400 Locust Street, Suite 200
Des Moines, IA 50309-2350
Phone No. (515) 558-0200
Fax No. (515) 558-7790
Customer No. 34082
Attorneys of Record

TJZ/JJL/kc